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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: H-2810.2/01 2nd draft

ATTY/TYPIST: RJS:rmh

BRIEF DESCRIPTION:

2 **SHB 2188** - H AMD  
3 By Representative

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5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 35.57.010 and 1999 c 165 s 1 are each amended to read  
8 as follows:

9 (1) The legislative authority of any town or city located in a  
10 county with a population of less than one million may create a public  
11 facilities district. The legislative authorities of any contiguous  
12 group of towns or cities located in a county or counties each with a  
13 population of less than one million may enter an agreement under  
14 chapter 39.34 RCW for the creation and joint operation of a public  
15 facilities district. The legislative authority of any town or city, or  
16 any contiguous group of towns or cities, located in a county with a  
17 population of less than one million and the legislative authority of  
18 the county or counties in which the towns or cities are located may  
19 enter into an agreement under chapter 39.34 RCW for the creation and  
20 joint operation of a public facilities district.

21 (2) A public facilities district shall be coextensive with the  
22 boundaries of the city or town or contiguous group of cities or towns  
23 that created the district. A public facilities district created by an  
24 agreement between a town or city, or a contiguous group of towns or  
25 cities, and the county in which they are located shall be coextensive  
26 with the boundaries of the towns or cities, and the boundaries of the  
27 county or counties as to the unincorporated areas of the county or  
28 counties. The boundaries shall not include towns or cities that are  
29 not parties to the agreement for the creation and joint operation of  
30 the district.

31 (3)(a) A public facilities district created by a single city or  
32 town shall be governed by a board of directors consisting of five  
33 members selected as follows: (i) Two members appointed by the  
34 legislative authority of the city or town; and (ii) three members  
35 appointed by legislative authority based on recommendations from local  
36 organizations. The members appointed under (a)(i) of this subsection,

1 shall not be members of the legislative authority of the city or town.  
2 The members appointed under (a)(ii) of this subsection, shall be based  
3 on recommendations received from local organizations that may include,  
4 but are not limited to the local chamber of commerce, local economic  
5 development council, and local labor council. The members shall serve  
6 four-year terms. Of the initial members, one must be appointed for a  
7 one-year term, one must be appointed for a two-year term, one must be  
8 appointed for a three-year term, and the remainder must be appointed  
9 for four-year terms.

10 (b) A public facilities district created by (~~{a}~~) a contiguous  
11 group of cities and towns shall be governed by a board of directors  
12 consisting of seven members selected as follows: (i) Three members  
13 appointed by the legislative authorities of the cities and towns; and  
14 (ii) four members appointed by the legislative authority based on  
15 recommendations from local organizations. The members appointed under  
16 (b)(i) of this subsection shall not be members of the legislative  
17 authorities of the cities and towns. The members appointed under  
18 (b)(ii) of this subsection, shall be based on recommendations received  
19 from local organizations that include, but are not limited to the local  
20 chamber of commerce, local economic development council, local labor  
21 council, and a neighborhood organization that is directly affected by  
22 the location of the (~~regional center~~) public facility in their area.  
23 The members of the board of directors shall be appointed in accordance  
24 with the terms of the agreement under chapter 39.34 RCW for the joint  
25 operation of the district and shall serve four-year terms. Of the  
26 initial members, one must be appointed for a one-year term, one must be  
27 appointed for a two-year term, one must be appointed for a three-year  
28 term, and the remainder must be appointed for four-year terms.

29 (c) A public facilities district created by a town or city, or a  
30 contiguous group of towns or cities, and the county or counties in  
31 which they are located shall be governed by a board of directors  
32 consisting of seven members selected as follows: (i) Three members  
33 appointed by the legislative authorities of the cities, towns, and  
34 county; and (ii) four members appointed by the sitting members of the  
35 board of directors based on recommendations from local organizations.  
36 The members appointed under (c)(i) of this subsection shall not be  
37 members of the legislative authorities of the cities, towns, or county.  
38 The members appointed under (c)(ii) of this subsection shall be based  
39 on recommendations received from local organizations that include, but

1 are not limited to, the local chamber of commerce, local economic  
2 development council, local labor council, and a neighborhood  
3 organization that is directly affected by the location of the public  
4 facility in their area. The members of the board of directors shall be  
5 appointed in accordance with the terms of the agreement under chapter  
6 39.34 RCW for the joint operation of the district and shall serve four-  
7 year terms. Of the initial members, one must be appointed for a one-  
8 year term, one must be appointed for a two-year term, one must be  
9 appointed for a three-year term, and the remainder must be appointed  
10 for four-year terms.

11 (4) A public facilities district is a municipal corporation, an  
12 independent taxing "authority" within the meaning of Article VII,  
13 section 1 of the state Constitution, and a "taxing district" within the  
14 meaning of Article VII, section 2 of the state Constitution.

15 (5) A public facilities district shall constitute a body corporate  
16 and shall possess all the usual powers of a corporation for public  
17 purposes as well as all other powers that may now or hereafter be  
18 specifically conferred by statute, including, but not limited to, the  
19 authority to hire employees, staff, and services, to enter into  
20 contracts, and to sue and be sued.

21 (6) A public facilities district may acquire and transfer real and  
22 personal property by lease, sublease, purchase, or sale. No direct or  
23 collateral attack on any (~~metropolitan~~) public facilities district  
24 purported to be authorized or created in conformance with this chapter  
25 may be commenced more than thirty days after creation by the county,  
26 city, or town legislative authority.

27 **Sec. 2.** RCW 35.57.020 and 1999 c 165 s 2 are each amended to read  
28 as follows:

29 (1) A public facilities district is authorized to acquire,  
30 construct, own, remodel, maintain, equip, reequip, repair, finance, and  
31 operate one or more (~~regional centers~~) public facilities. For  
32 purposes of this chapter, (~~"regional center"~~) "public facility" means  
33 a convention, conference, cultural, community, technology,  
34 recreational, or special events center, or any combination of  
35 facilities, and related parking facilities(~~(, serving a regional~~  
36 ~~population)~~) constructed, improved, or rehabilitated after July 25,  
37 1999, at a cost of at least ten million dollars, including debt  
38 service. (~~"Regional center"~~) A "special events center" is a facility

1 or combination of facilities, the primary purpose of which is the  
2 presentation of events, activities, performances, or exhibits for the  
3 enjoyment of the general public. "Public facility" also includes an  
4 existing convention, conference, cultural, community, technology,  
5 recreational, or special events center, and related parking  
6 facilities((, ~~serv~~ing a regional population,)) that is acquired,  
7 improved, or rehabilitated after July 25, 1999, where the costs of  
8 acquisition, improvement, or rehabilitation are at least ten million  
9 dollars, including debt service. ((A regional center is conclusively  
10 presumed to serve a regional population if state and local government  
11 investment in the construction, improvement, or rehabilitation of the  
12 regional center is equal to or greater than ten million dollars.))

13 (2) A public facilities district may impose charges and fees for  
14 the use of its facilities, and may accept and expend or use gifts,  
15 grants, and donations for the purpose of a ((~~regional center~~)) public  
16 facility.

17 (3) A public facilities district may impose charges, fees, and  
18 taxes authorized in RCW 35.57.040, and use revenues derived therefrom  
19 for the purpose of paying principal and interest payments on bonds  
20 issued by the public facilities district to construct a ((~~regional~~  
21 ~~center~~)) public facility.

22 (4) Notwithstanding the establishment of a career, civil, or merit  
23 service system, a public facilities district may contract with a public  
24 or private entity for the operation or management of its public  
25 facilities.

26 (5) A public facilities district is authorized to use the  
27 supplemental alternative public works contracting procedures set forth  
28 in chapter 39.10 RCW in connection with the design, construction,  
29 reconstruction, remodel, or alteration of any ((~~regional center~~))  
30 public facility.

31 **Sec. 3.** RCW 35.57.040 and 1999 c 165 s 4 are each amended to read  
32 as follows:

33 (1) The board of directors of the public facilities district may  
34 impose the following for the purpose of funding a ((~~regional center~~))  
35 public facility:

- 36 (a) Charges and fees for the use of any of its facilities;  
37 (b) Admission charges under RCW 35.57.100;  
38 (c) Vehicle parking charges under RCW 35.57.110; and

1 (d) Sales and use taxes authorized under RCW 82.14.048 and  
2 82.14.390.

3 (2) The board may accept and expend or use gifts, grants, and  
4 donations for the purpose of a ((~~regional-center~~)) public facility.  
5 The revenue from the charges, fees, and taxes imposed under this  
6 section shall be used only for the purposes authorized by this chapter.

7 **Sec. 4.** RCW 35.57.060 and 1999 c 165 s 6 are each amended to read  
8 as follows:

9 The board of directors of the public facilities district shall have  
10 authority to authorize the expenditure of funds for the public purposes  
11 of preparing and distributing information to the general public and  
12 promoting, advertising, improving, developing, operating, and  
13 maintaining a ((~~regional-center~~)) public facility. Nothing contained  
14 in this section may be construed to authorize preparation and  
15 distribution of information to the general public for the purpose of  
16 influencing the outcome of a district election.

17 **Sec. 5.** RCW 35.57.100 and 1999 c 165 s 10 are each amended to read  
18 as follows:

19 A public facility district may levy and fix a tax of not more than  
20 one cent on twenty cents or fraction thereof to be paid by the person  
21 who pays an admission charge to a ((~~regional-center~~)) public facility.  
22 This includes a tax on persons who are admitted free of charge or at  
23 reduced rates if other persons pay a charge or a regular higher charge  
24 for the same privileges or accommodations.

25 The term "admission charge" includes:

26 (1) A charge made for season tickets or subscriptions;

27 (2) A cover charge, or a charge made for use of seats and tables  
28 reserved or otherwise, and other similar accommodations;

29 (3) A charge made for food and refreshment if free entertainment,  
30 recreation, or amusement is provided;

31 (4) A charge made for rental or use of equipment or facilities for  
32 purposes of recreation or amusement; if the rental of the equipment or  
33 facilities is necessary to the enjoyment of a privilege for which a  
34 general admission is charged, the combined charges shall be considered  
35 as the admission charge;

1 (5) (~~Automobile~~) Motor vehicle parking charges if the amount of  
2 the charge is determined according to the number of passengers in the  
3 (~~automobile~~) motor vehicle.

4 **Sec. 6.** RCW 35.57.110 and 1999 c 165 s 11 are each amended to read  
5 as follows:

6 A public facility district may levy and fix a tax on any vehicle  
7 parking charges imposed at any parking facility that is owned or leased  
8 by the public facility district as part of a (~~regional center~~) public  
9 facility. No county or city or town within which the (~~regional~~  
10 ~~center~~) public facility is located may impose a tax of the same or  
11 similar kind on any vehicle parking charges at the facility. For the  
12 purposes of this section, "vehicle parking charges" means only the  
13 actual parking charges exclusive of taxes and service charges and the  
14 value of any other benefit conferred. The tax authorized under this  
15 section shall be at the rate of not more than ten percent.

16 **Sec. 7.** RCW 36.100.010 and 1995 3rd sp.s. c 1 s 301 are each  
17 amended to read as follows:

18 (1) A public facilities district may be created in any county and  
19 shall be coextensive with the boundaries of the county. Multiple  
20 public facilities districts may be created in any county, each  
21 coextensive with the boundaries of the county, so long as: (a) The  
22 resolution adopted by the county legislative authority providing for  
23 the creation of each public facilities district limits the authority of  
24 each of these public facilities districts to acquiring, constructing,  
25 owning, remodeling, maintaining, equipping, reequipping, repairing, and  
26 operating specifically enumerated sports facilities, recreational  
27 facilities, entertainment facilities, convention facilities, or public  
28 facilities, as defined in RCW 35.57.020, together with contiguous  
29 parking facilities; and (b) no other public facilities district within  
30 the county is authorized to acquire, construct, own, remodel, maintain,  
31 equip, reequip, repair, or operate such specifically enumerated sports  
32 facilities, recreational facilities, entertainment facilities,  
33 convention facilities, or public facilities, as defined in RCW  
34 35.57.020, together with contiguous parking facilities.

35 (2) A public facilities district shall be created upon adoption of  
36 a resolution providing for the creation of such a district by the  
37 county legislative authority in which the proposed district is located.

1 (3) A public facilities district is a municipal corporation, an  
2 independent taxing "authority" within the meaning of Article VII,  
3 section 1 of the state Constitution, and a "taxing district" within the  
4 meaning of Article VII, section 2 of the state Constitution.

5 (4) No taxes authorized under this chapter may be assessed or  
6 levied unless a majority of the voters of the public facilities  
7 district has approved such tax at a general or special election. A  
8 single ballot proposition may both validate the imposition of the sales  
9 and use tax under RCW 82.14.048 and the excise tax under RCW  
10 36.100.040.

11 (5) A public facilities district shall constitute a body corporate  
12 and shall possess all the usual powers of a corporation for public  
13 purposes as well as all other powers that may now or hereafter be  
14 specifically conferred by statute, including, but not limited to, the  
15 authority to hire employees, staff, and services, to enter into  
16 contracts, and to sue and be sued.

17 (6) The county legislative authority or the city council may  
18 transfer property to the public facilities district created under this  
19 chapter. No property that is encumbered with debt or that is in need  
20 of major capital renovation may be transferred to the district without  
21 the agreement of the district and revenues adequate to retire the  
22 existing indebtedness.

23 **Sec. 8.** RCW 36.100.030 and 1999 c 165 s 16 are each amended to  
24 read as follows:

25 (1) A public facilities district, subject to any limitations set  
26 forth in the resolution providing for its creation, is authorized to  
27 acquire, construct, own, remodel, maintain, equip, reequip, repair, and  
28 operate sports facilities, entertainment facilities, convention  
29 facilities, or (~~regional centers~~) public facilities as defined in RCW  
30 35.57.020, together with contiguous parking facilities. The taxes that  
31 are provided for in this chapter may only be imposed for these  
32 purposes.

33 (2) A public facilities district may enter into agreements under  
34 chapter 39.34 RCW for the joint provision and operation of such  
35 facilities and may enter into contracts under chapter 39.34 RCW where  
36 any party to the contract provides and operates such facilities for the  
37 other party or parties to the contract.

1       (3) A public facilities district created under RCW 36.100.010 and  
2 a public facilities district created under RCW 35.57.010 located in the  
3 same county are authorized to enter into agreements under chapter 39.34  
4 RCW to jointly acquire, construct, own, remodel, maintain, equip,  
5 reequip, repair, finance, and operate one or more public facilities as  
6 defined under RCW 35.57.020.

7       (4) Notwithstanding the establishment of a career, civil, or merit  
8 service system, a public (~~(facility {facilities})~~) facilities district  
9 may contract with a public or private entity for the operation or  
10 management of its public facilities.

11       (~~(4)~~) (5) A public facilities district is authorized to use the  
12 supplemental alternative public works contracting procedures set forth  
13 in chapter 39.10 RCW in connection with the design, construction,  
14 reconstruction, remodel, or alteration of any of its public facilities.

15       (~~(5)~~) (6) A public facilities district may impose charges and  
16 fees for the use of its facilities, and may accept and expend or use  
17 gifts, grants, and donations.

18       **Sec. 9.** RCW 36.100.040 and 1995 c 396 s 4 are each amended to read  
19 as follows:

20       A public facilities district may impose an excise tax on the sale  
21 of or charge made for the furnishing of lodging by a hotel, rooming  
22 house, tourist court, motel, or trailer camp, and the granting of any  
23 similar license to use real property, as distinguished from the renting  
24 or leasing of real property, except that no such tax may be levied on  
25 any premises having fewer than forty lodging units. However, if a  
26 public facilities district has not imposed such an excise tax prior to  
27 December 31, 1995, the public facilities district may only impose the  
28 excise tax if a ballot proposition authorizing the imposition of the  
29 tax has been approved by a simple majority vote of voters of the public  
30 facilities district voting on the proposition.

31       The rate of the tax shall not exceed two percent and the proceeds  
32 of the tax shall only be used for the acquisition, design,  
33 construction, remodeling, maintenance, equipping, reequipping,  
34 repairing, and operation of its public facilities. This excise tax  
35 shall not be imposed until the district has approved the proposal to  
36 acquire, design, and construct the public facilities.

37       A public facilities district may not impose the tax authorized in  
38 this section if, after the tax authorized in this section was imposed,

1 the effective combined rate of state and local excise taxes, including  
2 sales and use taxes and excise taxes on lodging, imposed on the sale of  
3 or charge made for furnishing of lodging in any jurisdiction in the  
4 public facilities district exceeds eleven and one-half percent.

5 A public facilities district may not impose the tax authorized in  
6 this section if the combined total tax rate imposed by all public  
7 facilities districts under this section would exceed two percent.

8 **Sec. 10.** RCW 36.100.060 and 1999 c 165 s 15 are each amended to  
9 read as follows:

10 (1) To carry out the purpose of this chapter, a public facilities  
11 district may issue general obligation bonds, not to exceed an amount,  
12 together with any outstanding nonvoter approved general obligation  
13 indebtedness, equal to one-half of one percent of the value of taxable  
14 property within the district, as the term "value of taxable property"  
15 is defined in RCW 39.36.015. A facilities district additionally may  
16 issue general obligation bonds for capital purposes only, together with  
17 any outstanding general obligation indebtedness, not to exceed an  
18 amount equal to one and one-fourth percent of the value of the taxable  
19 property within the district, as the term "value of taxable property"  
20 is defined in RCW 39.36.015, when authorized by the voters of the  
21 public facilities district pursuant to Article VIII, section 6 of the  
22 state Constitution, and to provide for the retirement thereof by excess  
23 property tax levies as provided in this chapter.

24 (2) General obligation bonds may be issued with a maturity of up to  
25 thirty years, and shall be issued and sold in accordance with the  
26 provisions of chapter 39.46 RCW.

27 (3) The general obligation bonds may be payable from the operating  
28 revenues of the public facilities district in addition to the tax  
29 receipts of the district.

30 (4) The excise tax imposed pursuant to RCW 36.100.040 shall  
31 terminate upon final payment of all bonded indebtedness for its public  
32 facilities, except that the excise tax may be reauthorized by a public  
33 vote, in the same manner as originally authorized, for funding of  
34 additional ((public)) facilities ((or a regional center)), including a  
35 public facility as defined in RCW 35.57.020.

36 **Sec. 11.** RCW 36.100.210 and 1999 c 165 s 17 are each amended to  
37 read as follows:

1 A public facility district may levy and fix a tax of not more than  
2 one cent on twenty cents or fraction thereof to be paid by the person  
3 who pays an admission charge to a ((~~regional center~~)) public facility,  
4 as defined in RCW 35.57.020. This includes a tax on persons who are  
5 admitted free of charge or at reduced rates if other persons pay a  
6 charge or a regular higher charge for the same privileges or  
7 accommodations.

8 The term "admission charge" includes:

9 (1) A charge made for season tickets or subscriptions;

10 (2) A cover charge, or a charge made for use of seats and tables  
11 reserved or otherwise, and other similar accommodations;

12 (3) A charge made for food and refreshment if free entertainment,  
13 recreation, or amusement is provided;

14 (4) A charge made for rental or use of equipment or facilities for  
15 purposes of recreation or amusement; if the rental of the equipment or  
16 facilities is necessary to the enjoyment of a privilege for which a  
17 general admission is charged, the combined charges shall be considered  
18 as the admission charge;

19 (5) ((~~Automobile~~)) Motor vehicle parking charges if the amount of  
20 the charge is determined according to the number of passengers in the  
21 ((~~automobile~~)) motor vehicle.

22 **Sec. 12.** RCW 36.100.220 and 1999 c 165 s 18 are each amended to  
23 read as follows:

24 A public facility district may levy and fix a tax on any vehicle  
25 parking charges imposed at any parking facility that is owned or leased  
26 by the public facility district as part of a ((~~regional center~~)) public  
27 facility, as defined in RCW 35.57.020. No county or city or town  
28 within which the ((~~regional center~~)) public facility, as defined in RCW  
29 35.57.020, is located may impose a tax of the same or similar kind on  
30 any vehicle parking charges at the facility. For the purposes of this  
31 section, "vehicle parking charges" means only the actual parking  
32 charges exclusive of taxes and service charges and the value of any  
33 other benefit conferred. The tax authorized under this section shall  
34 be at the rate of not more than ten percent.

35 **Sec. 13.** RCW 82.14.048 and 1999 c 165 s 12 are each amended to  
36 read as follows:

37 The governing board of a public facilities district under chapter

1 36.100 or 35.57 RCW may submit an authorizing proposition to the voters  
2 of the district, and if the proposition is approved by a majority of  
3 persons voting, fix and impose a sales and use tax in accordance with  
4 the terms of this chapter.

5 The tax authorized in this section shall be in addition to any  
6 other taxes authorized by law and shall be collected from those persons  
7 who are taxable by the state under chapters 82.08 and 82.12 RCW upon  
8 the occurrence of any taxable event within the public facilities  
9 district. The rate of tax shall not exceed two-tenths of one percent  
10 of the selling price in the case of a sales tax, or value of the  
11 article used, in the case of a use tax.

12 Moneys received from any tax imposed under this section shall be  
13 used for the purpose of providing funds for the costs associated with  
14 the financing, design, acquisition, construction, equipping, operating,  
15 maintaining, remodeling, repairing, and reequipping of its public  
16 facilities.

17 No tax may be collected under this section by a public facilities  
18 district under chapter 35.57 RCW before August 1, 2000, and no tax in  
19 excess of one-tenth of one percent may be collected under this section  
20 by a public facilities district under chapter 36.100 RCW before August  
21 1, 2000.

22 A public facilities district may not impose the tax authorized in  
23 this section if the combined total tax rate imposed by all public  
24 facilities districts under this section would exceed two-tenths of one  
25 percent.

26 **Sec. 14.** RCW 82.14.390 and 1999 c 165 s 13 are each amended to  
27 read as follows:

28 (1)(a) Except as provided in subsection (6) of this section, the  
29 governing body of a public facilities district created under chapter  
30 35.57 or 36.100 RCW before January 1, 2002, that commences construction  
31 of a new ~~((regional-center))~~ public facility, or improvement or  
32 rehabilitation of an existing ~~((new-regional-center))~~ public facility,  
33 before January 1, 2003, may impose a sales and use tax in accordance  
34 with the terms of this chapter.

35 (b) Except as provided in subsection (6) of this section, the  
36 governing body of (i) a public facilities district created under  
37 chapter 35.57 RCW before January 1, 2002, with a population over fifty  
38 thousand, that commences construction of a new public facility, or

1 improvement or rehabilitation of an existing public facility, before  
2 January 1, 2005, or (ii) a public facilities district that enters into  
3 a joint agreement under RCW 36.100.030(3) with a district described in  
4 (b)(i) of this subsection, may impose a sales and use tax in accordance  
5 with the terms of this chapter.

6 (c) Except as provided in subsection (6) of this section, the  
7 governing body of a public facilities district in a county in which a  
8 public facilities district was created under chapter 36.100 RCW before  
9 July 1, 2001, that commences construction of a new public facility, or  
10 improvement or rehabilitation of an existing public facility, before  
11 January 1, 2005, may impose a sales and use tax in accordance with the  
12 terms of this chapter.

13 (d) The tax is in addition to other taxes authorized by law and  
14 shall be collected from those persons who are taxable by the state  
15 under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable  
16 event within the public facilities district. The rate of tax shall not  
17 exceed 0.033 percent of the selling price in the case of a sales tax or  
18 value of the article used in the case of a use tax.

19 (2) The tax imposed under subsection (1) of this section shall be  
20 deducted from the amount of tax otherwise required to be collected or  
21 paid over to the department of revenue under chapter 82.08 or 82.12  
22 RCW. The department of revenue shall perform the collection of such  
23 taxes on behalf of the county at no cost to the public facilities  
24 district.

25 (3) (~~No tax may be collected under this section before August 1,~~  
26 ~~2000.~~) The tax imposed in this section shall expire when the bonds  
27 issued for the construction of the (~~regional center~~) public facility  
28 and related parking facilities are retired, but not more than twenty-  
29 five years after the tax is first collected.

30 (4) Moneys collected under this section shall only be used for the  
31 purposes set forth in RCW 35.57.020 and must be matched with an amount  
32 from other public or private sources equal to thirty-three percent of  
33 the amount collected under this section, provided that amounts  
34 generated from nonvoter approved taxes authorized under chapter 35.57  
35 RCW or nonvoter approved taxes authorized under chapter 36.100 RCW  
36 shall not constitute a public or private source. For the purpose of  
37 this section, public or private sources includes, but is not limited to  
38 cash or in-kind contributions used in all phases of the development or  
39 improvement of the (~~regional center~~) public facility, land that is

1 donated and used for the siting of the (~~regional center~~) public  
2 facility, cash or in-kind contributions from public or private  
3 foundations, or amounts attributed to private sector partners as part  
4 of a public and private partnership agreement negotiated by the public  
5 facilities district.

6 (5) The combined total tax levied under this section shall not be  
7 greater than 0.033 percent regardless of the number of public  
8 facilities districts imposing the tax. If both a public facilities  
9 district created under chapter 35.57 RCW and a public facilities  
10 district created under chapter 36.100 RCW impose a tax under this  
11 section, the tax imposed by a public facilities district created under  
12 chapter 35.57 RCW shall be credited against the tax imposed by ((a))  
13 any public facilities district created under chapter 36.100 RCW.

14 (6) A public facilities district created under chapter 36.100 RCW  
15 is not eligible to impose the tax under this section if the legislative  
16 authority of the county where the public facilities district is located  
17 has imposed a sales and use tax under RCW 82.14.0485 or 82.14.0494.

18 (7) As used in this section, "public facility" has the same meaning  
19 as in RCW 35.57.020."

20 Correct the title.

--- END ---